

MEMORANDUM

TO: County Voter Registration Officers

FROM: J. Bradley King and Kristi Robertson

RE: Sample notice mailed to certain voters required to present additional documents by federal law

DATE: July 3, 2003

As directed by Public Law 209-2003, SECTION 204, we are providing you with a sample notice for your use in the mailings required to be sent to certain voters who registered in your county beginning January 1, 2003. Please contact us if you would like to receive this sample notice in electronic form. We will also post a Word version of the document on our website for you to download if you wish.

There was one common theme in your responses: make this notice shorter and simpler, so that a voter is not confused by too much information. We have taken this to heart, and have attempted to do that in the version you are receiving today. We will be happy to continue to receive your suggestions and revise the sample notice to include later comments from counties who may have done some mailings to these voters. And of course, you can make your own modifications to this sample notice, so long as your notice contains all the info required by SECTION 204(c) – see the enclosed copy.

The next step for the Election Division is to develop a “suggested coding system” for your office to use to record the type of document that the voter presents to your office, or to polling place workers. We anticipate this coding system will be a very simple letter or number code. Very shortly, we will be sending you (and your voting system vendor) a draft of the proposed coding system for your suggestions and comments. As always, we appreciate your input in making this process more efficient for all of us and the voters.

The next step for you may be to determine when (and to whom) you will send this notice. The “when” issue involves the 2003 city and town elections. If a voter required to present a document voted in May 2003, or November 2003, the voter is **NOT** exempted from the requirement to present the document to your office. Although there is definitely an advantage to getting the documents from as many voters as soon as possible, there may be some confusion among voters who receive this notice before the 2003 election. One

way to decide what's the best approach may be a "pilot" mailing to the affected voters in one precinct, or a couple of townships. The responses you receive from those voters may help you (and us) fine tune the notice and the process.

What should you do now?

- Determine which voters are required to provide the documents. This may involve hand examining your registrations from January of this year forward to determine which voters registered by mail for the first time in your county.
- Contact your voter registration software vendor to ask if the current version of your software can indicate whether a voter has provided any required documentation, the date the documentation was filed with your office, at what point in the election process the documentation was filed, and a brief description of the documentation provided. (See Indiana Code 3-7-27-20(b) and (c), enclosed). You may also want to ask the vendor if the software program can include other useful (but not required) information, such as the suggested document coding system, and when you mailed any notice to the voter.
- Beginning in 2004 (not 2003), make sure that your precinct poll list and absentee ballot application records indicate which voters must produce the documents.
- If you are ready to begin mailing to voters, you can do so now. Your office is not required to mail the notice to all of these voters in your county as part of one mailing. You may wish to conduct a "pilot" mailing to these voters first within one precinct, or one township, for example. However, by March 1, 2004, you must complete your mailing to all of these voters.

If you have questions concerning this notice, or the legal requirements, please contact us.

SAMPLE NOTICE TO VOTERS WHO REGISTERED BY MAIL

**IMPORTANT NOTICE.
PLEASE READ CAREFULLY AND RESPOND PROMPTLY**

July 2, 2003

Ms. Postal Voter
123 Maple Street
Smallville, IN 47000

Dear Ms. Voter:

Thank you for registering to vote by mail. Under a new federal law, if you submitted your application to register to vote through the mail after January 1, 2003, you must present this office with a copy of a personal identification document before your ballot can be counted in the 2004 elections. [This requirement does not apply to any local election in 2003, and you are required to present this document even if you voted in an election in 2003. *NOTE: This sentence would be deleted from any notice mailed after the November 2003 election.*]

If you feel you have received this notice in error, please check one of the following exemptions, sign this notice, and return the notice to the County Voter Registration Office.

_____ I previously voted in a **general** election in *This* County in the following year (circle one) 2002; 2000; 1998; 1996; other ____.

If I was registered to vote under a different name at that election, my name was:

_____ I am a military voter, the spouse of a military voter, or a dependent of a military voter, who is currently outside of *This* County.

_____ I am an overseas voter who is currently outside of the United States.

_____ I did not register to vote by mailing a voter registration application to your office.

YOUR SIGNATURE: _____

DATED: _____, 200__

(OVER)

If you do not qualify for one of these exemptions, please:

come into the county voter registration office to present the document, OR

return this notice by mail or FAX (to xxx-xxx-xxxx) with a photocopy of one of the following documents.

Do not mail this office an original copy of any document.

The document must have YOUR NAME AND CURRENT RESIDENCE ADDRESS PRINTED ON THE DOCUMENT:

- Current and valid photo identification, such as your Indiana driver's license.
- Current utility bill.
- Current bank statement.
- Current government check.
- Current paycheck.
- Other government document that shows your name and address.

PLEASE NOTE:

If you are required to present this documentation to the County Voter Registration Office, we encourage you to do so now, if possible, and at least 30 days BEFORE election day (May 4, 2004 or November 2, 2004).

If you do not do so, you will be asked by the poll workers at your precinct to present this documentation.

If you do not present the poll workers with this documentation, you will still be allowed to vote. If you present your document to the county voter registration office before the polls close at 6 pm local time, your ballot will be counted. If you do not present this document before the close of the polls, your ballot will not be counted since you have not complied with the requirements under the new federal law.

If you have further questions, please contact the County Voter Registration Office.

Thank you for your assistance!

Issued as required by: 42 United States Code 15483, Indiana Code 3-7-33-4.5, Public Law 209-2003, SECTION 204.